

REMARKS/ARGUMENTS

Reconsideration of the present application is respectfully requested. Claims 1-10 and 19-23 were previously canceled in response to the restriction requirement of December 26, 2006. Claim 13 has been canceled herein without prejudice or disclaimer; and claims 11, 12, 14, and 15 have been amended herein. Thus, claims 11, 12, and 14-18 are presently pending, with claims 11 and 15 being independent.

In the Office Action dated February 22, 2007, claims 15-18 are objected to as being dependent upon a rejected base claim but indicated as allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. As suggested in the Action, claim 15 has been rewritten in independent form and should therefore be in condition for allowance. Claims 16-18 directly or indirectly depend from claim 15. Accordingly, dependent claims 16-18 should also be in condition for allowance.

Furthermore, paragraphs [0005] and [0062] have been amended herein, as suggested in the Action, to correct minor typographical errors.

In regard to the prior art rejection, claims 11-14 are rejected under 35 U.S.C. § 102(b) as being anticipated by the Brouse '554 patent. However, Applicant respectfully submits that none of the prior art references of record, when considered singly or in combination, disclose or arrive at the structure recited in amended claim 11.

Amended independent claim 11 recites a knotting device with, among other things, an operator assembly for timed operation of the gripper, knotter, cutting element, and cover. The

knotting device also includes a single drive assembly coupled with the operator assembly for effecting the timed operation of the components. More specifically, the operator assembly includes a pivotal shaft assembly and operator bodies. Each operator body is being operably coupled with a respective one of the gripper, knotter, cutting element and cover so as to supply driving power from the single drive assembly thereto. The operator bodies are fixed to the shaft assembly, and the shaft assembly effects the timed operation by rotating in a single direction.

The claimed construction provides numerous advantages over the prior art. For example, the timed operation of the gripper, knotter, cutting element, and cover (which is critically important to proper wire strapping operations) is controlled efficiently and reliably relative to prior art machines.

On the other hand, the Brouse '554 patent relies on reverse rotation of shaft 38 to effect timed operation of the gripper 118, twister pinion 56, cutting lever 80, and cover 60 (see col. 5, lines 30-37). Furthermore, the operators for supplying driving power from the shaft 38 to the individual components principally rely on spring-biased pawls (e.g., see col. 5, lines 43-54), lost motion, and dwells (e.g., see col. 6, lines 59-62). Contrary to the claimed invention, the timed operation of the Brouse '554 patent requires reverse rotation of the shaft and is controlled by unreliable components that are susceptible to failure and poor function.

Therefore, claim 11 recites structure not shown or suggested by the Brouse '554 patent nor, for that matter, any of the other references of record. Claims 12 and 14 depend from claim 11 and recite additional features not shown or suggested by the prior art.

Appl. No. 10/709,110
Amdt. dated August 22, 2007
Reply to Office Action of May 22, 2007

In light of the foregoing, the present application should now be in condition for allowance and such allowance is respectfully requested. Should the Examiner have any questions, please contact the undersigned at (800) 445-3460.

A 3-month Petition for Extension of Time accompanies this Amendment, along with authorization to charge \$510.00 to the undersigned's Deposit Account No. 19-0522 for the petition fee set forth in 37 C.F.R. § 1.17. The Commissioner is further authorized to charge any additional fees associated with this communication or credit any overpayment to said Deposit Account.

Respectfully submitted,

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